

Memorandum



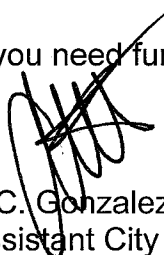
Date: October 16, 2009

To: Members of the Economic Development Committee:
Ron Natinsky (Chair), Tennell Atkins (Vice Chair), Jerry R. Allen, Dwaine Caraway, Sheffie Kadane, Linda Koop, Ann Margolin, Steve Salazar

Subject: Streetscape License Fees

On Tuesday, October 20, you will be briefed on recommendations regarding licenses issued for use public rights-of-way. This is a follow-up briefing as requested at your August 17, 2009 meeting. A copy of the briefing is attached for your review.

If you need further information, please call Theresa O'Donnell at 214-670-4127.


A.C. Gonzalez
Assistant City Manager

cc: The Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Deborah Watkins, City Secretary
Thomas Perkins, City Attorney
Craig Kinton, City Auditor
Judge C. Victor Lander, Judiciary
Ryan S. Evans, First Assistant City Manager
A.C. Gonzalez, Assistant City Manager
Forest Turner, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
David K. Cook, Chief Financial Officer Manager
Jeanne Chipperfield, Director, Budget & Management Services
Theresa O'Donnell, Director, Sustainable Development & Construction
Karl Zavitkovsky, Director of Economic Development
Hammond Perot, Assistant Director, Office of Economic Development
Helena Stevens-Thompson, Assistant to the City Manager

STREETSCAPE LICENSE FEES

Economic Development Committee
October 20, 2009



Purpose

- Briefed Committee on August 17, 2009
- Committee requested more detail on specific recommendations for revisions

Recommendations

- ❑ Separate residentially based projects from commercial or for-profit business projects
- ❑ Standardize process and fees to minimize fees and paperwork for HOAs and other neighborhood-based groups
- ❑ Ensure city public safety, utility and liability concerns are addressed

Recommendations

- ❑ Residential Communities (including HOA's)
 - Continue pilot program that reduces fees for:
 - ❑ Subdivision signs – one-time \$1,000 fee per sign
 - ❑ Landscaping and appurtenant irrigation systems – one-time \$1,000 fee
 - ❑ Landscaping should include plantings and architectural elements that help define the space
 - ❑ Continue to allow HOA's to obtain Commercial General Liability Insurance through the City of Dallas homeowners' association insurance program administered by City of Dallas Risk Management.

Recommendations

- Commercial/Business Communities
 - Amend Code to provide a one-time cost-recovery fee of \$5,400 for processing and review of enhancement items in ROW:
 - Street trees, shrubbery, planter boxes, pots
 - Awnings with no advertising
 - Streetscape and architectural elements
 - Off-street parking

Recommendations

- Commercial/Business, cont.
 - Continue standard fee assessment for items in the ROW that generate revenue:
 - Sidewalk cafes
 - Advertising on signs or awnings
 - Telecommunication cables
 - Skybridges
 - Formula based on square footage x market value x percent

Recommendations

- Commercial/Business, cont.
 - Require permanent license, indemnification and insurance on structures and architectural elements
 - Assess a minimal fee for using public right-of-way allowed under future PD-Zoning Ordinance for landscaping, awnings and signs, and/or sidewalk cafes
 - Do not grant moratoriums on license fees

Recommendations

- Commercial/Business cont.
 - Alternatives for non-payment of license fees:
 - Require removal and reinstatement of ROW to previous condition; or
 - Undertake legal proceedings, if necessary for:
 - unpaid license fees
 - amounts assessed for reinstatement of the right-of-way by the City

Next Step

- Prepare ordinance revisions for Council approval before December 31, 2009